



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

November 19, 2007

To the Honorable Senate and House of Representatives:

I am filing for your consideration "An Act Making Appropriations for the Fiscal Year 2008 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects," a bill recommending Fiscal Year 2008 supplemental appropriations totaling \$57.1 million. This legislation is necessary to address \$23 million for newly ratified collective bargaining contracts and \$34.1 million immediate needs for FY08 for specific agencies.

This bill also contains several outside sections, including legislation establishing a trust fund to receive proceeds of litigation and settlements for the Central Artery/Tunnel Project, to reimburse the Commonwealth and the Turnpike Authority for certain costs.

The supplemental items to fund existing obligations include:

- \$10 million for funding the increased costs associated with a new health care contract at the Department of Corrections;
- \$5.3 million to address overtime needs for the State Police;
- \$3.49 million for the Middlesex District Attorney for expenses associated with moving from the Edward J. Sullivan Courthouse;
- \$3.03 million for the Department of Mental Retardation to address staffing needs associated with lawsuits;
- \$2.85 million for the Department of Transitional Assistance for flexible funding to address immediate needs for families to keep them in their homes (i.e. rent, fuel expenses, etc.); and

- \$672,000 for continued implementation of the Senior Information Management System (SIMS) at the Executive Office of Elder Affairs.

Additionally, \$6.9 million in additional authorizations for retained revenue and intra-governmental service accounts is recommended to accommodate anticipated expenditures at the Human Resources Division and the Information Technology Division. These increases have no net cost to the State as their expenditures are offset by higher revenues.

Pursuant to Section 7 of Chapter 150E of the General Laws, I submit for your consideration appropriation recommendations to fund the Fiscal Year 2007 and 2008 costs contained in a collective bargaining agreements between:

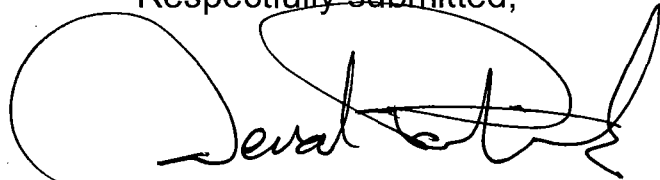
- the commonwealth and the Coalition of Public Safety (Unit 5);
- the commonwealth and the New England Police Benevolent Association (Unit 4A);
- the Middlesex sheriff's department and the New England Police Benevolent Association; and
- the university of Massachusetts and the
 - American Federation of State, County and Municipal Employees, Local 1776, AFL-CIO (Unit A01),
 - International Brotherhood of Police Officers, Local 432 (A&B Units) (Unit A06),
 - University Staff Association/MTA/NEA (Unit A08),
 - Non-Exempt Supervisors Unit, Unit B/MTA/NEA (Unit A15),
 - Massachusetts Society of Professors/Faculty Staff Union/MTA/NEA (Units A50 and B40),
 - Professional Staff Union/MTA/NEA (Units A52 and B42),
 - Classified Staff Union/MTA/NEA (Units B31 and B32),
 - International Brotherhood of Teamsters, Local 25 (Unit B33),
 - American Federation of Teachers, Local 1895, AFL-CIO, Faculty Federation (Units D80 and D81),
 - American Federation of State, County and Municipal Employees, Local 507, AFL-CIO (Unit D82),
 - Federation of Maintenance and Custodial Employees, MFT, AFT, AFL-CIO (Unit D83),
 - International Brotherhood of Police Officers, Local 399 (Unit D84),

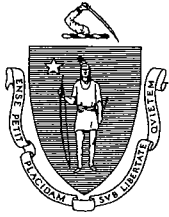
- American Federation of Teachers, Local 1895, AFL-CIO, Educational Services Unit (Unit D85),
- Massachusetts Society of Professors/Lowell/MTA/NEA (Unit L90),
- MTA/NEA Clerical/Technical Unit (Unit L92),
- MTA/NEA Maintenance/Trades Unit (Unit L93),
- International Brotherhood of Teamsters, Local 25 (Unit L94), and
- Service Employees International Union, Local 888 (Unit L95).

Accordingly, this legislation places a total of \$23,084,550 in 24 reserves from which funds may be transferred to departments' operating accounts to meet the Fiscal Year 2007 and 2008 costs of the salary adjustments and other economic benefits which are required by the agreements. Copies of the agreements are being submitted separately to the Committees on Ways and Means.

Sufficient revenues are estimated to be available to finance these appropriations. I urge your prompt and favorable consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David L. Scott", written over a large, loopy flourish that starts with a large circle on the left and extends to the right.



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND SEVEN

AN ACT

MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2008 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2008 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2008, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2008. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

DISTRICT ATTORNEYS

Northern District Attorney

0340-0200 \$3,486,968

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Bureau of State Office Buildings

1102-3301\$170,000

Group Insurance Commission

1108-5100\$459,981

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Elder Affairs

9110-0100\$672,000

Department of Transitional Assistance

4403-2120\$2,850,430

Department of Mental Retardation

5911-1003\$3,026,199

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Department of State Police

8100-0007\$5,300,000

Department of Correction

8900-0001\$10,000,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2008. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

- 1599-4251 For a reserve to meet the fiscal year 2008 costs of the roll call attendance benefit provided in section 3 of the collective bargaining agreement between the Norfolk county sheriff and Norfolk County Sheriff Correctional Officer Association; provided, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$47,546
- 1599-4252 For a reserve to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and the Coalition of Public Safety (Unit 5), and to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$2,122,427

1599-4253 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and the New England Police Benevolent Association (Unit 4A), and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means\$289,625

1599-4254 For a reserve to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff's department and the New England Police Benevolent Association, and to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with

the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$1,881,440

1599-4255 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Norfolk county sheriff and the National Association of Government Employees, Local RI 202, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$137,184

1599-4256 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the board of higher education and Massachusetts State College

Association, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means \$3,677,831

1599-4257 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the American Federation of State, County and Municipal Employees, Local 1776, AFL-CIO (Unit A01) at the Amherst campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated

in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$552,528

1599-4258 For a reserve to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the International Brotherhood of Police Officers, Local 432 (A&B Units) (Unit A06) at the Amherst campus, and to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$246,923

1599-4259 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the University Staff Association/MTA/NEA (Unit A08) at the Amherst campus, and to meet the

fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$843,990

1599-4260 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Non-Exempt Supervisors Unit, Unit B/MTA/NEA (Unit A15) at the Amherst campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet

these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$52,723

1599-4261 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Massachusetts Society of Professors/Faculty Staff Union/MTA/NEA (Units A50 and B40) at the Amherst and Boston campuses, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$5,151,329

1599-4262 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Professional Staff Union/MTA/NEA (Units A52 and B42) at the Amherst and Boston campuses, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits

to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$2,811,373

1599-4263 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Classified Staff Union/MTA/NEA (Units B31 and B32) at the Boston campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the

purpose, in accordance with a transfer plan which shall be filed in advance
with the house and senate committees on ways and means.....\$414,958

1599-4264 For a reserve to meet the fiscal year 2007 and 2008 costs of salary
adjustments and other economic benefits authorized by the collective
bargaining agreement between the university of Massachusetts and the
International Brotherhood of Teamsters, Local 25 (Unit B33) at the Boston
campus, and to meet the fiscal year 2007 and 2008 costs of salary
adjustments and other economic benefits necessary to provide equal
adjustments and benefits to employees employed in confidential positions
which otherwise would be covered by this agreement; provided, that the
personnel administrator, with the approval of the secretary of
administration and finance, shall determine these adjustments and benefits
for the confidential employees in accordance with the collective bargaining
agreement then in effect which otherwise would cover these positions;
provided further, that the secretary may transfer from the sum appropriated
in this item to other items of appropriation and allocations thereof for fiscal
year 2008 amounts that are necessary to meet these costs where the
amounts otherwise available are insufficient for the purpose, in accordance
with a transfer plan which shall be filed in advance with the house and
senate committees on ways and means..... \$72,917

1599-4265 For a reserve to meet the fiscal year 2008 costs of salary adjustments and
other economic benefits authorized by the collective bargaining agreement
between the university of Massachusetts and the American Federation of
Teachers, Local 1895, AFL-CIO, Faculty Federation (Units D80 and D81)
at the Dartmouth campus, and to meet the fiscal year 2008 costs of salary
adjustments and other economic benefits necessary to provide equal
adjustments and benefits to employees employed in confidential positions

which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$1,252,284

1599-4266 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the American Federation of State, County and Municipal Employees, Local 507, AFL-CIO (Unit D82) at the Dartmouth campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance

with a transfer plan which shall be filed in advance with the house and
senate committees on ways and means\$206,217

1599-4267 For a reserve to meet the fiscal year 2008 costs of salary adjustments and
other economic benefits authorized by the collective bargaining agreement
between the university of Massachusetts and the Federation of Maintenance
and Custodial Employees, MFT, AFT, AFL-CIO (Unit D83) at the
Dartmouth campus, and to meet the fiscal year 2008 costs of salary
adjustments and other economic benefits necessary to provide equal
adjustments and benefits to employees employed in confidential positions
which otherwise would be covered by this agreement; provided, that the
personnel administrator, with the approval of the secretary of
administration and finance, shall determine these adjustments and benefits
for the confidential employees in accordance with the collective bargaining
agreement then in effect which otherwise would cover these positions;
provided further, that the secretary may transfer from the sum appropriated
in this item to other items of appropriation and allocations thereof for fiscal
year 2008 amounts that are necessary to meet these costs where the
amounts otherwise available are insufficient for the purpose, in accordance
with a transfer plan which shall be filed in advance with the house and
senate committees on ways and means\$112,250

1599-4268 For a reserve to meet the fiscal year 2007 and 2008 costs of salary
adjustments and other economic benefits authorized by the collective
bargaining agreement between the university of Massachusetts and the
International Brotherhood of Police Officers, Local 399 (Unit D84) at the
Dartmouth campus, and to meet the fiscal year 2007 and 2008 costs of
salary adjustments and other economic benefits necessary to provide equal
adjustments and benefits to employees employed in confidential positions

which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$102,340

1599-4269 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the American Federation of Teachers, Local 1895, AFL-CIO, Educational Services Unit (Unit D85) at the Dartmouth campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance

with a transfer plan which shall be filed in advance with the house and senate committees on ways and means\$416,979

1599-4270 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Massachusetts Society of Professors/Lowell/MTA/NEA (Unit L90) at the Lowell campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$1,537,942

1599-4271 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the MTA/NEA Clerical/Technical Unit (Unit L92) at the Lowell campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this

agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means..... \$56,484

1599-4272 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the MTA/NEA Maintenance/Trades Unit (Unit L93) at the Lowell campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$130,864

1599-4273 For a reserve to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the International Brotherhood of Teamsters, Local 25 (Unit L94) at the Lowell campus, and to meet the fiscal year 2007 and 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$101,778

1599-4274 For a reserve to meet the fiscal year 2008 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the university of Massachusetts and the Service Employees International Union, Local 888 (Unit L95) at the Lowell campus, and to meet the fiscal year 2008 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine

these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2008 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....\$864,618

Human Resources Division

1750-0102 The human resources division may expend not more than \$1,627,500 from revenues collected from fees charged to applicants for civil service and non-civil service examinations and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions, and the general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil examination, notwithstanding paragraph (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$300,000

Information Technology Division

1790-0300 The information technology division may expend not more than \$601,850 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment.....\$122,500

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Public Health

4513-1010 For the department of public health; provided, that said department may expend not more than \$5,500,000 in revenue received from the collection of federal financial participation for early intervention services delivered to Medicaid-eligible children by developmental educators and professionals in related disciplines; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the services funded in this item; and provided further, that the revenue may be used to pay for current and prior year claims.\$1,000,000

Department of Transitional Assistance

4403-2007 For the department of transitional assistance to develop and implement a nutritional benefit program for low-income workers beginning October 1, 2007; provided, that benefits shall be provided only to those whose receipt of these benefits will improve the work participation rate under the federal program of temporary assistance for needy families\$1,200,000

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2008, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sums set forth in this section are hereby authorized from the

Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2008. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items.

OFFICE OF THE STATE COMPTROLLER

Office of the Comptroller

1000-0008 \$150,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Human Resources Division

1750-0101 \$300,000

Information Technology Division

1790-0200 \$5,000,000

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 1

SECTION 3. Section 63 of chapter 10 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word “commonwealth”, in line 25, the following words:- , certain sums recovered under section 83 of chapter 4 of the acts of 2003, any sums received by the commonwealth related to insurance programs or policies for the Central Artery/Ted Williams Tunnel Project, in this section called the project, sums received by the Massachusetts Turnpike Authority from the sale, lease, license or other use of any land or facility that the authority is required by law or contract to pay to the commonwealth for costs of the project or to reimburse the commonwealth for costs of the project.

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 2

SECTION 4. Section 63 of chapter 10, as so appearing, is hereby further amended by striking out the last 2 paragraphs and inserting in place thereof the following paragraph:-

At the direction of the secretary of administration and finance, the comptroller shall make payments from the fund established by this section, without further appropriation, for the purposes specified in this section.

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 3

SECTION 5. Chapter 10 of the General Laws is hereby amended by inserting after section 63 the following section:-

Section 63A. (a) There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Central Artery/Tunnel Project Repair and Maintenance Trust Fund, in this section called the fund. The secretary of transportation and public works shall administer the fund and shall be its trustee. The executive office of transportation and public works shall disburse monies from the fund solely for the purpose of paying the costs of, or reimbursing the commonwealth or the Massachusetts Turnpike Authority for costs incurred in connection with, repairs and maintenance of the central artery and the Ted Williams tunnel, as those terms are defined in section 3 of chapter 81A, where such repairs and maintenance relate to conditions not caused by ordinary or routine wear and tear. For purposes of this section, the term “repairs and maintenance” shall include, without limitation, repairs, maintenance, inspection, monitoring, and testing of the central artery, the Ted Williams tunnel and their systems and components. Disbursements from the fund shall not be permitted for, and

monies in the fund may not be used for, the cost of repairs and maintenance relating to conditions caused by ordinary or routine wear and tear.

(b) There shall be credited to the fund monies received from the resolution of *United States v. Aggregate Industries Northeast Region*, Criminal Action No. 07-10242-JLT (D. Mass. 2007), as well as funds received in connection with subsequent judgments and settlement payments that are made subject to the condition that such judgments and settlements be used for non-routine repairs and maintenance of the central artery and the Ted Williams tunnel. The state treasurer shall invest amounts credited to the fund in accordance with section 38 of chapter 29. Any income derived from these investments shall be credited to the fund.

(c) No monies shall be disbursed from the fund unless (1) the secretary of transportation and public works certifies in writing that the requested disbursements conform with the purpose of the fund as set forth in subsection (a), and (2) the Federal Highway Administrator or his designee approves the disbursement in writing as conforming with the fund's purpose. The executive office of transportation and public works shall keep written records specifying the amount of each approved disbursement and a description of the work for which the disbursement was approved. On or before April 1 of each year, the secretary of transportation and public works shall submit a report to the attorney general, the United States Attorney for the District of Massachusetts and the Federal Highway Administration, which shall include a list of each disbursement from the fund made during the preceding 12 months, the purpose of each disbursement, and the balance remaining in the fund.

(d) If the fund or this section is (i) abolished, or (ii) altered in any way to authorize disbursements for any purpose other than the permitted purposes as specified in subsection (a), 60 percent of the fund balance at that time shall revert to the United States and be paid in a form and manner to be determined by the United States Attorney's Office for the District of Massachusetts. If any monies remain in the fund as of January 1, 2083, then the fund shall terminate and the reversion provisions of the preceding sentence shall be applied; but, notwithstanding any other provision of this section, the United States Department of Justice and the commonwealth may agree in writing to maintain the fund beyond January 1, 2083 and may agree in writing to modify the purpose of the fund on or after January 1, 2083 to include repairs and maintenance of other highway roads or structures in the commonwealth built with federal financial assistance.

(e) If material disbursements are made for any purpose other than the permitted purposes as specified in subsection (a) of this section, the United States Attorney for the District of Massachusetts, subject to Federal Highway Administration consultation and Department of Justice review and approval, may direct that up to 60 percent of the fund balance at that time shall revert to the United States and be paid in a form and manner to be determined by the United States Attorney's Office for the District of Massachusetts. The Department of Justice shall consult with the attorney general of the commonwealth before approving any reversion under this subsection.

(f) All records of the fund, including the transactions of the fund, shall be public records unless exempted by law.

Safe Cigarette Fund

SECTION 6. Subsection (d) section 2C of chapter 64C of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The secretary may incur expenses of, and the comptroller may certify for payment, amounts from the fund not more than the most recent revenue estimate in the state accounting system for the fiscal year.

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 4

SECTION 7. Section 83 of chapter 4 of the acts of 2003 is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) Notwithstanding any general or special law or contract to the contrary, any sums recovered under this section shall be deposited in the Central Artery and Statewide Road and Bridge Infrastructure Fund established under section 63 of chapter 10 of the General Laws; but monies received from the settlement of *United States v. Aggregate Industries Northeast Region*, Criminal Action No. 07-10242-JLT (D. Mass. 2007) and monies received in connection with future judgments and settlement payments that are made subject to the condition that such judgments and settlements be used for non-routine repairs and maintenance of the central artery and the Ted Williams tunnel shall be deposited in the Central Artery/Tunnel Project Repair and Maintenance Trust Fund, established under section 63A of chapter 10.

Federal Revenue Re-Investment for IT Projects

SECTION 8. Item 1790-2015 of section 2 of chapter 27 of the acts of 2007 is hereby amended by adding the following words:- ; provided, that any federal reimbursement received in connection with projects funded from this item may be retained in and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item; and provided further, that the executive office of health and human services shall file a quarterly report with the executive office for administration and finance, the house and senate committees on ways and means, and the joint committee on bonding, capital expenditures, and state assets that details, by project, an annual estimate of anticipated federal reimbursement to be received on behalf of and expended for the project, as well as year-to-date actual federal reimbursement received and year-to-date actual expenditures of the reimbursement, by project.

Sexual Assault Evidence Kits – Technical Change

SECTION 9. Item 8000-0202 of section 2 of chapter 61 of the acts of 2007 is hereby amended by striking out the words “no funds shall be expended in the AA object class; and provided further, that”.

MMARS Chargeback to MTA 3

SECTION 10. Item 1000-0008 of section 2B of chapter 61 is hereby amended by adding the following words:- ; provided, that not less than \$150,000 shall be expended to assist the Massachusetts Turnpike Authority in managing its funds through the MMARS system.

ITD PAC Language

SECTION 11. Item 1790-0200 of section 2B of chapter 61 is amended by adding the following words:- ; and provided further, that any unspent balance at the close of fiscal year 2008 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and may be expended for that item in fiscal year 2009.

MMARS Chargeback to MTA 1

SECTION 12. Notwithstanding any general or special law to the contrary, the comptroller may extend access to the state accounting system, the state payroll system or both to any state authority as defined in section 1 of chapter 29 of the General Laws, to assist that state authority in managing its funds; but those funds shall be maintained and accounted for separately from other commonwealth funds. The authority shall pay implementation costs incurred and ongoing, periodic estimated costs or reimbursements of all costs associated with its use of these systems, including but not limited to data center costs, staff time, banking fees, auditing costs and any other costs of use, which may be charged back to the authority against funds residing on the state accounting system. Those funds shall be allocated to the appropriate central service agencies who may retain and expend the funds for costs incurred. Notwithstanding any restriction of funding source or payee type, any payments processed through the state accounting system shall be available to be intercepted to offset debt properly due the commonwealth. Unless otherwise provided by general law, the use of these systems by a state authority shall not subject the authority to any requirements related to commonwealth funds.

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 5

SECTION 13. Notwithstanding any general or special law or contract to the contrary, amounts recovered or received on or after May 1, 2007 that sections 3 and 7 require to be deposited in the Central Artery and Statewide Road and Bridge Infrastructure Fund shall be transferred to the Central Artery and Statewide Road and Bridge Infrastructure Fund.

Central Artery/Tunnel Project Repair and Maintenance Trust Fund 6

SECTION 14. Notwithstanding any general or special law or contract to the contrary, any disbursements from the Central Artery/Tunnel Project Repair and Maintenance Trust Fund to reimburse the commonwealth or the Massachusetts Turnpike Authority for costs incurred before the effective date of this act shall be deposited in the Central Artery and Statewide Road and Bridge Infrastructure Fund established under section 63 of chapter 10 of the General Laws.

Executive Office for Health and Human Services Lease

SECTION 15. Notwithstanding chapter 7 of the General Laws or any other general or special law or regulation to the contrary, the commissioner of capital asset management and maintenance may, on behalf of the executive office of health and human services, the department of transitional assistance, and the department of industrial accidents, renegotiate the facilities leases at 600 Washington Street in the city of Boston by those 3 offices and departments to extend the leases for a period not to exceed 3 years beyond the

10-year limitation stipulated in chapter 7, notwithstanding the expiration of those leases on or before the effective date of this section.

Effective Date for Federal Fund Retention

SECTION 16. Section 8 shall take effect as of July 1, 2007.